REMARKS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Claims 1 and 3 - 28 are currently pending. Claim 2 is hereby canceled without prejudice.

35 U.S.C. § 112, second paragraph Rejections

Examiner rejected claims 3-5, 16-18, and 23-25 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Examiner asserts that claims 4, 5, 17, 18, 24, and 25 contradict the independent claims 1, 10, and 20.

Examiner asserts that claims 3, 16, and 23 are in improper form for a Markush group.

Appropriate correction has been entered.

35 U.S.C. § 102(b) Rejections

Examiner rejected claims 1, 3, and 7 under 35 USC 102(b) as being anticipated by Mayer, U.S. Patent No. 1,699,302 (hereinafter referred to as "Mayer").

Examiner rejected claims 1-10, 12-20 and 22-28 under 35 USC 102(b) as being antipated by Bovenschen et al., U.S. Patent No. 5,384,185 (hereinafter referred to as "Bovenschen").

To anticipate a claims, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

Applicant's independent claims of the present application include limitations not disclosed or taught by Mayer or Bovenschen et al. As a result, applicant's independent claims are not anticipated by Mayer or Bovenschen et al.

In particular, applicant's independent claims include a limitation, or a limitation similar thereto, of *a thermal interface comprising a plurality of thermally conductive fibers, the fibers in contact with each other when compressed between a first surface and a second surface, to transfer heat between the surfaces*.

Neither Mayer nor Bovenschen et al. discloses nor suggest a thermal interface to transfer heat between two surfaces, wherein the interface includes thermally conducted fibers arranged in a pattern, the fibers in contact with each other when compressed.

Therefore, considering applicant's independent claims include limitations that are not disclosed nor suggested by Mayer or Bovenschen et al., applicant's independent claims are not anticipated by Mayer nor Bovenschen et al.

Furthermore, the remaining claims that were also rejected as being anticipated by Mayer or Bovenschen et al., depend from one of the independent claims discussed above and therefore also include the distinguishing claim limitations. As a result, the remaining claims are also not anticipated by Mayer or Bovenschen et al.

CONCLUSION

Applicant respectfully submits the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300, x237.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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Date: 01/27/2003

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ATTACHMENT A

Claim 2 is hereby canceled without prejudice.

A marked-up version of the amended claims is as follows:

1. (Amended) An [thermal interface material,] apparatus comprising:

a thermal interface comprising a plurality of thermally conductive[, malleable] fibers arranged in a pattern, the fibers of the pattern in contact with each other[,] when compressed [against] between a first surface and a second surface, to transfer heat between the first and second surfaces.

2. Canceled.

3. (Amended) The thermal interface material of Claim 1, wherein the fibers include one of the following: a metal, a metal compound, [or]and a metal alloy.

4. The thermal interface material of Claim 1, wherein the fibers are a non-metal.

5. The thermal interface material of Claim 4, wherein the non-metal includes carbon or graphite.

6. (Amended) The thermal interface material of Claim 1, further comprising:

an adhesive applied to the fibers, the adhesive affixing the fibers in position on [a] the first surface until the fibers are compressed against the first surface.

7. The thermal interface material of Claim 1, wherein the pattern includes a random pattern.

8. The thermal interface material of Claim 1, wherein the pattern includes a stacked pattern.

9. The thermal interface material of Claim 1, wherein the pattern includes a woven pattern.

10. (Amended) A method, comprising:

[providing a plurality of thermally conductive, malleable fibers in a pattern;]

positioning a plurality of thermally conductive fibers, the fibers being in a pattern, [the plurality of fibers] between a first surface and a second surface; and

compressing the plurality of fibers between the first and second surfaces, the compression deforming the fibers into contact with each other and into contact with the first surface and second surface, to transfer heat between the first and second surfaces.

11. The method of Claim 10, wherein the first surface is a thermal plate and wherein the second surface is a heat source.

12. The method of Claim 10, wherein the pattern includes a random pattern.

13. The method of Claim 10, wherein the pattern includes a stacked pattern.

14. The method of Claim 10, wherein the pattern includes a woven pattern.

15. (Amended) The method of Claim 10, further comprising:

encompassing the fibers in a thermal medium, [the thermal medium being malleable,] the thermal medium deforming to fill irregularities when compressed against a first surface.

16. (Amended) The method of Claim 10, wherein the fibers include one of the following: a metal, a metal compound, and a metal alloy.

17. The method of Claim 10, wherein the fibers are a non-metal.

18. The method of Claim 17, wherein the non-metal includes carbon or graphite.

19. The method of Claim 10, further comprising:

applying an adhesive to the fibers to affix the fibers in position on the first surface until the fibers are compressed against the first surface.

20. (Amended) An apparatus, comprising:

a plurality of thermally conductive[, malleable] fibers defining a pattern positioned against a first surface; and

means for to transfer heat between the first surface and a second surface, the means including [compressing the plurality of fibers between the first surface and second surface, the] compress[ion]ing [deforming] the fibers into contact with each other and with said first surface and said second surface.

21. The apparatus of Claim 20, wherein the first surface is a thermal plate and wherein the second surface is a heat source.

22. (Amended) The apparatus of Claim 20, wherein the fibers are encompassed in a thermal medium[. The medium acting and being malleable], the thermal medium deforming to fill irregularities when the fibers are compressed against the first surface.

23. (Amended) The apparatus of Claim 20, wherein the fibers include one of the following: a metal, a metal compound, [or]and a metal alloy.

24. The apparatus of Claim 20, wherein the fibers are a non-metal.

25. The apparatus of Claim 20, wherein the non-metal includes carbon or graphite.

26. The apparatus of Claim 20, wherein the pattern includes a random pattern.

27. The apparatus of Claim 20, wherein the pattern includes a stacked pattern.

28. The apparatus of Claim 20, wherein the pattern includes a woven pattern.